

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Criminal Action no. 08-99
v.)	District Judge Gary Lancaster
)	Magistrate Judge Cathy Bissoon
CURTIS CAMPBELL,)	
)	
Defendants.)	

MEMORANDUM ORDER

Gary L. Lancaster,
Chief Judge.

November 24, 2009

Curtis Campbell has been indicted for knowingly, intentionally, and unlawfully distributing five grams or more of crack cocaine. The magistrate judge entered an order releasing Campbell subject to, inter alia,: 1) an unsecured bond of \$50,000; 2) release into the custody of his aunt; 3) electronic monitoring; 4) reporting to Pre-trial services; and 5) refraining from contacting the government's witnesses. The government has filed a motion to revoke the order of pretrial release, contending that the conditions of release are insufficient to reasonably assure Campbell's appearance at future proceedings or to guarantee the safety of the community.


Because Campbell is charged with a drug offense for which the maximum term of imprisonment is ten years or more, there is a rebuttable presumption that "no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of the community." 18 U.S.C. §

3142(e)(3)(A). In determining whether the conditions of release reasonably assure the appearance of the person and the safety of the community, the court must take into account, inter alia, whether the offense charge involved a controlled substance, the defendant's history, and whether defendant was on probation at the time of the current offense. Id. at § 3142(g)(1)-(3).

The court finds that the current offense charge involves the distribution of a controlled substance, specifically five or more grams of crack cocaine. Defendant also has a substantial criminal history, especially for his age, including drug use, involvement in gangs, distribution of narcotics, and gun possession. Furthermore, he was on probation when he allegedly committed the offense for which he is charged in the indictment. The conditions of release do not adequately address these concerns.

We find that defendant has failed to rebut the presumption that he will not appear before the court at future proceedings and that he is not a danger to the community. For these reasons, the government's motion is GRANTED. Defendant is ordered detained until trial.

By the Court:



Gary L. Lancaster, Chief J.

cc: All parties of record

Magistrate Judge Bissoon